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D/NESA 82-213
2 March 1982

82-0287/5

MEMORANDUM FOR: Director of Central Intelligence
Deputy Director of Central Intelligence

VIA: Deputy Director for Intelligence

FROM: Helene L. Boatner
Director, Near East/South Asia Analysis

SUBJECT: NSC Decisions on Libya

1. We learned yesterday afternoon, in discussions with NSC staffers, that there is some disagreement about precisely what was decided at the 25 February NSC meeting on Libya. As a result, issuance and implementation of the NSDD are being held up. A draft NSDD probably will be coming over for your approval or dissent.

2. There is no disagreement on cessation of oil imports or controls on items on the "national security" list. There are however unresolved details with regard to controls over oil and gas technology and equipment.

3. The principal question is whether controls will be applied to oil-related items on which there are contracts already in hand. Treasury and Commerce say no; State says yes. (State's position is that controls should apply to everything except goods already licensed; since oil-related goods have not to date required licenses, the effect of State's position is to cancel existing contracts.)

4. There also remains some disagreement on whether the Allies should be asked to implement similar measures. Although all concerned agree this would be fruitless, some lawyers apparently are arguing that such a request to the Allies is required under the provisions of the Export Administration Act.

5. My recommendation is that you vote to allow deliveries under existing contracts, since doing otherwise will contribute substantially to Congressional and public opposition to the decisions. I also recommend against asking the Allies to implement similar measures unless there is a clear-cut legal requirement to do so.

[Redacted Signature Box]

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Helene L. Boatner

cc: NIO/NESA
C/DDO/NE

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